IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 405 of 2007()

CRA.444/1999 of ADDL. SESSIONS FAST TRACK COURT (ADHOC)-II, TRIVANDRUM

CC.1119/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, NEYYATTINKARA

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REVN. PETITIONER: APPELLANT/ACCUSED:

RAMACHANDRAN NAIR, S/O. KRISHNA PILLAI,
VEMBARIKKARA MELEROADARIKATHU PUTHEN VEEDU,
VADAKODU DESOM, PERUMPAZHUTHOOR VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENTS: RESPONDENT/COMPLAINANT AND STATE:

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1. MADHAVAN NAIR, S/O.VELAYUDHAN THAMPI,
SIVAVILASOM NADOORKOLLA, KOLLAYIL,
THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR
SRI.M.R.RAJESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 1204/2007 IN CRL.R.P.NO. 405 of 2007

DISMISSED

18.12.2007 SD/- V. RAMKUMAR, JUDGE.

/True Copy/

P.A to Judge.

V. RAMKUMAR, J.

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Crl.R.P. No. 405 of 2007

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Dated this the 18th day of December, 2007

ORDER

The accused in C.C.No.1119 of 1996 on the file of the Judicial First Class Magistrate-II, Neyyattinkara for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13449 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The money deposited by the revision petitioner pursuant to the orders passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

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